

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROSA MARTINEZ; JIMMY HOWARD;  
ROBERTA DOBBS; BRENT RODERICK;  
SHARON ROZIER; and JOSEPH  
SUTRYNOWICZ, on behalf of  
themselves and all others  
similarly situated,

Plaintiffs,

v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security, in his  
official capacity,

Defendant.

No. C 08-4735 CW

ORDER REQUESTING  
RESPONSE FROM  
CLASS COUNSEL  
ADDRESSING MOTION  
BY CLASS MEMBER  
MARY CHARLES  
ROBINSON (Docket  
No. 225)

On April 30, 2012, the Court denied Class Member Mary Charles Robinson's motions for an injunction and sanctions without prejudice to re-filing by Class Counsel if Class Counsel discovered evidence that Ms. Robinson is a Post-2006 Class Member instead of a Pre-2007 Class Member.

Ms. Robinson has now filed a motion seeking to reopen in the instant case and for an order requiring Defendant to declare her "a Pre-2006 Class Member," apparently seeking to participate in the settlement reached in the instant case as a Post-2006 Class Member rather than a Pre-2007 Class Member.

Class Counsel previously represented that "additional development of the factual record might entitle Ms. Robinson to additional relief as a Post-2006 Class Member." Docket No. 217, 3. The Court also notes that, according to Ms. Robinson's

1 submission, administrative proceedings that were pending at the  
2 time have since been resolved.

3 Accordingly, the Court requests that, within two weeks of the  
4 date of this Order, Class Counsel provide a response to Ms.  
5 Robinson's recent motion and include in that response a  
6 recommendation and an update of events following Class Counsel's  
7 April 23, 2012 filing, including the later administrative  
8 proceedings and any additional factual development that might  
9 qualify Ms. Robinson for additional relief under the settlement.  
10 If necessary, the Court will set a schedule for further briefing  
11 thereafter.

12 IT IS SO ORDERED.

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14 Dated: 1/25/2013

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CLAUDIA WILKEN  
United States District Judge